

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1190 and 1191

Accessibility Guidelines for Play Facilities; Notice of Meeting of Regulatory Negotiation Committee

AGENCY: Architectural and
Transportation Barriers Compliance
Board.

ACTION: Notice of committee meeting.

SUMMARY: The Architectural and
Transportation Barriers Compliance
Board (Access Board) has established a
regulatory negotiation committee to
develop a proposed rule on accessibility
guidelines for newly constructed and
altered play facilities covered by the
Americans with Disabilities Act and the
Architectural Barriers Act. This
document announces the dates, times,
and location of the next meeting of the
committee, which is open to the public.

DATES: The committee will meet on:

Tuesday, July 8, 1997, 8:30 a.m. to 5:00
p.m.

Wednesday, July 9, 1997, 9:00 a.m. to
12:00 noon

ADDRESSES: The committee will meet at
the Westin Hotel, 1400 M Street, NW.,
Washington, DC.

FOR FURTHER INFORMATION CONTACT:
Peggy Greenwell, Office of Technical
and Information Services, Architectural
and Transportation Barriers Compliance
Board, 1331 F Street, NW., suite 1000,
Washington, DC, 20004-1111.
Telephone number (202) 272-5434
extension 34 (Voice); (202) 272-5449
(TTY). This document is available in
alternate formats (cassette tape, braille,
large print, or computer disc) upon
request.

SUPPLEMENTARY INFORMATION: In
February 1996, the Access Board
established a regulatory negotiation
committee to develop a proposed rule
on accessibility guidelines for newly
constructed and altered play facilities
covered by the Americans with
Disabilities Act and the Architectural
Barriers Act. (61 FR 5723, February 14,
1996). The committee will hold its final
meeting on the dates and at the location
announced above. The meeting is open
to the public. The meeting site is
accessible to individuals with
disabilities. Individuals with hearing
impairments who require sign language
interpreters should contact Peggy
Greenwell by July 1, 1997, by calling

(202) 272-5434 extension 34 (voice) or
(202) 272-5449 (TTY).

Lawrence W. Roffee,

Executive Director.

[FR Doc. 97-16086 Filed 6-18-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-5843-2]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection
Agency.

ACTION: Notice of intent to delete the
Hranica landfill site from the National
Priorities List and request for comments.

SUMMARY: The Environmental Protection
Agency (EPA) Region III announces its
intent to delete the Hranica Landfill Site
(Site) from the National Priorities List
(NPL) and requests public comment on
this action. The NPL constitutes
Appendix B to the National Oil and
Hazardous Substances Pollution
Contingency Plan (NCP), 40 CFR part
300 which EPA promulgated pursuant
to Section 105 of the Comprehensive
Environmental Response,
Compensation, and Liability Act
(CERCLA), as amended. EPA and the
Pennsylvania Department of
Environmental Protection (PADEP) have
determined that all appropriate CERCLA
response actions have been
implemented and that no further
cleanup is appropriate. Moreover, EPA
and the State have determined that
remedial activities conducted at the Site
to date have been protective of public
health, welfare, and the environment.

DATES: Comments concerning the
proposed deletion of this Site from the
NPL may be submitted on or before July
21, 1997.

ADDRESSES: Comments may be
submitted to Garth Connor, (3HW22),
Project Manager, U.S. Environmental
Protection Agency, 841 Chestnut
Building, Philadelphia, PA, 19107, (215)
566-3209.

Comprehensive information on this
Site is available through the public
docket which is available for viewing at
the Site Information Repositories at the
following locations:

U.S. EPA Region III, Hazardous Waste
Technical Information Center, 841
Chestnut Building, Philadelphia, PA
19107, (215) 566-5363

Buffalo Township Municipal Building,
109 Bear Creek Road, Sarver, PA
19055, 412) 259-2648.

FOR FURTHER INFORMATION CONTACT: Mr.
Garth Connor (3HW22), U.S. EPA
Region III, 841 Chestnut Building,
Philadelphia, PA, 19107, (215) 566-
3209.

SUPPLEMENTARY INFORMATION:

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I. Introduction

The Environmental Protection Agency
(EPA) Region III announces its intent to
delete the Hranica Landfill Site, Buffalo
Township, Butler County, Pennsylvania,
from the National Priorities List (NPL),
Appendix B of the National Oil and
Hazardous Substances Pollution
Contingency Plan (NCP), and requests
comments on this deletion. The EPA
identifies sites that appear to present a
significant risk to public health, welfare,
or the environment and maintains the
NPL as the list of those sites. Sites on
the NPL may be the subject of remedial
actions financed by the Hazardous
Substance Superfund Response Trust
Fund (Fund). Pursuant to § 300.425(e)(3)
of the NCP, any site deleted from the
NPL remains eligible for Fund-financed
remedial actions if conditions at the site
warrant such action.

EPA will accept comments on the
proposal to delete this Site from the
NPL on or before July 21, 1997.

Section II of this document explains
the criteria for deleting sites from the
NPL. Section III discusses procedures
that EPA is using for this action. Section
IV discusses how the Site meets the
deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that
the Agency uses to delete sites from the
NPL. In accordance with 40 CFR
300.425(e), sites may be deleted from
the NPL where no further response is
appropriate. In making this
determination, EPA, in consultation
with the State, will consider whether
any of the following criteria have been
met:

(i) Responsible or other parties have
implemented all appropriate response
actions required; or

(ii) All appropriate Fund-financed
responses under CERCLA have been
implemented and no further cleanup is
appropriate; or

(iii) As set forth in the investigative
findings for the Site, the release poses
no significant threat to public health or

the environment and, therefore, taking of remedial measures is not appropriate.

(iv) In addition to the above, for all remedial actions which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, CERCLA 121(c), 42 U.S.C. 9621(c), the NCP at 40 CFR 300.430(f)(4)(ii) and EPA's policy, OSWER Directive 9320.2-09, dated August 1995, provide that a subsequent review of the site will be conducted at least every five years after the initiation of the first remedial action at the Site to ensure that the site remains protective of public health and the environment. In the case of this Site, EPA conducted a "five year review" in April, 1997. Based on this review, EPA determined that conditions at the Site remain protective of public health and the environment. As explained below, the Site meets the NCP's deletion criteria listed above. Five-year reviews will continue to be conducted at the site until no hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure. A site shall not be deleted from the NPL until the state in which the site is located has concurred on the proposed deletion. 40 CFR 300.425(e)(2).

All sites deleted from the NPL are eligible for further Fund-financed remedial actions should future conditions warrant such action. Whenever there is a significant release from a site deleted from the NPL, the site can be restored to the NPL without application of the Hazard Ranking System. 40 CFR 300.425(e)(3).

III. Deletion Procedures

Section 300.425(e)(4) of the NCP sets forth requirements for site deletions to assure public involvement in the decision. During the proposal to delete a site from the NPL, EPA is required to conduct the following activities:

(i) Publish a notice of intent to delete in the **Federal Register** and solicit comment through a public comment period of a minimum of 30 calendar days;

(ii) Publish a notice of availability of the notice of intent to delete in a major local newspaper of general circulation at or near the site that is proposed for deletion;

(iii) Place copies of information supporting the proposed deletion in the information repository at or near the site proposed; and,

(iv) Respond to each significant comment and any significant new data submitted during the comment period in a Responsiveness Summary.

If appropriate, after consideration of comments received during the public comment period, EPA then publishes a notice of deletion in the **Federal Register** and places the final deletion package, including the Responsiveness Summary, in the Site repositories. Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management. As stated in Section II of this document, § 300.425(e)(3) of the NCP provides that the deletion of a site from the NPL does not preclude eligibility for future response.

IV. Basis for Intended Site Deletion

The following site summary provide's EPA's rationale for the proposal to delete the Hranica Landfill from the NPL. The Hranica Landfill comprises 15 acres, and is located in a rural area approximately 21 miles north of Pittsburgh in Buffalo Township, Butler County, Pennsylvania. Approximately thirty years ago, the Site was used as a landfill, drum disposal area, and incineration facility. The Site is surrounded by orchards, corn fields, and wooded areas. Buffalo Township covers 23.9 square miles and has a population of approximately 6,600 people.

Between 1966 and 1974, William Hranica owned and operated the facility, which accepted both municipal and industrial wastes. Initially, the wastes were treated by a combination of open incineration and surface impoundment storage. Subsequently, liquid wastes were disposed of by direct discharge into surface impoundments with resultant ground surface and soil cover infiltration. Site-related compounds, including benzene, xylene and toluene, contaminated an adjacent property owner's spring. The Site never had any buildings or heavy equipment and the hazardous waste drums were stacked haphazardly across the Site property.

The Site was listed on the EPA's National Priorities List (NPL) on September 8, 1983. It was listed as 1123 out of 418 sites on the NPL at that time, with a Hazard Ranking Score of 51.94 on a scale from 0 to 100. Soon after the Site's inclusion on the NPL, the Aluminum Company of America (ALCOA) and PPG Industries, Inc. (PPG), which were the two main generators of waste at the Site, signed a Consent Agreement with the Pennsylvania Department of Environmental Resources (PADER), now the Pennsylvania Department of

Environmental Protection (PADEP), to perform extensive removal activities at the Site. These activities were performed from October, 1983 until July, 1984, and involved the removal and ultimate disposal of more than 19,000 drums of hazardous waste and over 4,000 cubic yards of visibly-contaminated soil. Three large vats of waste were also removed from the Site as part of this removal action. These activities essentially removed the entire source of contamination from the Site. However, there were still soils remaining onsite which were contaminated with site-related compounds.

In March 1987, EPA and PPG entered into a Consent Order requiring PPG to perform a Remedial Investigation and Feasibility Study (RI/FS) at the Site. After performing the necessary field work to determine the nature and extent of contamination at the Site, PPG submitted the Draft RI/FS to EPA and PADER in September 1989. A Record of Decision (ROD) for Operable Unit #1 (OU1), which addressed the remaining contaminated soils onsite, was signed on June 29, 1990. The selected remedy included a five-acre soil cover on lead-contaminated areas of the Site. All soils with lead at or above 300 parts per million (ppm) were covered with a two-foot thick soil cover. The remedy also called for deed restrictions on the property, an eight-foot fence around the perimeter of the Site, and long-term ground and surface water monitoring.

In April 1992, PPG began additional sampling and analysis of the ground water portion of the Site for four consecutive quarters. After examining the results of this additional sampling, EPA concluded that no further action was necessary to protect the ground water. A No Further Action ROD for the ground water portion of the Site, Operable Unit #2, was signed on May 26, 1994.

ALCOA and PPG conducted the site remediation under EPA and PADEP oversight. IT Corporation was hired by ALCOA and PPG to do the Remedial Design for OU1 at this Site. The final remedial design for OU1 was approved by EPA on March 17, 1993. ERM-Enviroclean was hired to do the Remedial Action. The Remedial Action began in June 1993, and was completed in October 1993. About 3,000 truckloads of clean soil were placed onsite and compacted during the Remedial Action. A five-acre soil cover was placed on the former drum disposal area and the adjoining hillside. This soil cover was also graded and seeded. A recent site inspection in October, 1996 by the EPA Remedial Project Manager revealed that

the entire soil cover is now completely vegetated, and there are no barren areas remaining onsite. The Site is now completely fenced and has a locked entrance gate. A Consent Decree with the property owner to record the deed restrictions has been signed, and the deed restrictions are attached to the property deed in the Butler County Courthouse in Butler, Pennsylvania.

Chester Engineers (Chester) was hired by PPG in 1994 to perform the site maintenance and the long-term ground water monitoring at the Site. This semi-annual sampling has been an important part of the operation and maintenance at the Site. Chester samples a number of locations, both on-and offsite, in the Spring and Fall of each year. PPG submits quarterly progress reports to the EPA and PADEP describing the Site's condition and detailing any upcoming sampling at the Site. A separate report is submitted by Chester describing the actual sampling results.

A statutory Five-Year Review of the selected remedy was completed on April 16, 1997 to ensure that the remedy is still protective of the public health and the environment. The next five-year review must be completed by April 30, 2002. Subsequent five-year reviews will be conducted pursuant to OSWER Directive 9355.7-02. "Structure and Components of Five-Year Reviews," or other applicable guidance where it exists.

The remedy selected for this Site has been implemented in accordance with the Record of Decision, as modified and expanded in the EPA-approved Remedial Design for Operable Unit #1. This remedy has resulted in the significant reduction of the long-term potential for release of contaminated soils to the surrounding surface soils, the ambient air and the aquatic environment. Human health threats and potential environmental impacts have been minimized. EPA and the State of Pennsylvania find that the remedies implemented continue to provide adequate protection of human health and the environment.

EPA, with the concurrence of the State of Pennsylvania, believes that the criteria for deletion of this Site have been met. Therefore, EPA is proposing deletion of this Site from the NPL.

Dated: June 5, 1997.

Stanley Laskowski,

Acting Regional Administrator, USEPA
Region III.

[FR Doc. 97-15854 Filed 6-18-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AE23

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two Larkspurs From Coastal Northern California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes endangered status pursuant to the Endangered Species Act (Act) of 1973, as amended for two plants—*Delphinium bakeri* (Baker's larkspur) and *Delphinium luteum* (yellow larkspur). These species grow in a variety of habitats including coastal prairie, coastal scrub, or chaparral in Sonoma and Marin counties in northern California. Habitat loss and degradation, sheep grazing, road maintenance activities, and overcollection imperil the continued existence of these plants. Random events increase the risk of extinction to the extremely small plant populations. This proposal, if made final, would implement the Federal protection and recovery provisions afforded by the Act for these plants.

DATES: Comments from all interested parties must be received by August 18, 1997. Public hearing requests must be received by August 4, 1997.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, Sacramento Field Office, U.S. Fish and Wildlife Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Comments and materials received, as well as the supporting documentation used in preparing the rule, will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Kirsten Tarp, Sacramento Field Office (see ADDRESSES section) (telephone 916/979-2120; facsimile 916/979-2128).

SUPPLEMENTARY INFORMATION:

Background

Delphinium bakeri (Baker's larkspur) and *D. luteum* (yellow larkspur) were found historically in coastal prairie, coastal scrub, or chaparral habitats. Urban development, agricultural land conversion, or livestock grazing have destroyed much of the habitat and extirpated numerous populations of these two plants in coastal Marin and

Sonoma Counties in northern California. The historical range of *Delphinium bakeri* and *D. luteum* did not extend beyond coastal Marin and Sonoma counties.

Ewan (1942) described *Delphinium bakeri* based on type material collected by Milo Baker in 1939 from "Coleman Valley, Sonoma Co., California." In the most recent treatment, Warnock (1993) retained the taxon as a full species. Historically, *D. bakeri* was known from Coleman Valley in Sonoma County and from a site near Tomales in Marin County. *Delphinium bakeri* occurs on decomposed shale within the coastal scrub plant community from 400 to 500 feet (ft) (120 to 150 meters (m) in elevation (California Natural Diversity Database (CNDDB) 1994).

Delphinium bakeri is a perennial herb in the buttercup family (Ranunculaceae) that grows from a thickened, tuber-like, fleshy cluster of roots. The stems are hollow, erect, and grow to 65 centimeters (cm) (26 inches (in.)) tall. The shallowly 5-parted leaves occur primarily along the upper third of the stem and are green at the time the plant flowers. The flowers are irregularly shaped. The five sepals are conspicuous, bright dark blue or purplish, with the rear sepal elongated into a spur. The inconspicuous petals occur in two pairs. The lower pair is oblong and blue-purple; the upper pair is oblique and white. Seeds are produced in several dry, many-seeded fruits which split open at maturity on only one side (i.e., several follicles). *Delphinium bakeri* flowers from April through May (Warnock 1993).

Habitat conversion to agricultural land, grazing, and/or roadside maintenance activities have extirpated occurrences in Marin and Sonoma counties (California Department of Fish and Game (CDFG) 1994). The only known remaining population, with a total of about 35 individuals, is found on a steep road bank in Marin County that is subject to road work, overcollection, and sheep grazing. Because of its extreme range restriction and small population size, the plant also is vulnerable to extinction from random events, such as fire or insect outbreaks (CNDDB 1994). California Department of Fish and Game (CDFG) (1994) reported the trend of the species is one of decline.

Heller (1903) described *Delphinium luteum* based on type material collected from "grassy slopes about rocks, near Bodega Bay, along the road leading to the village of Bodega" in Sonoma County. Although Jepson (1970) reduced *D. luteum* to a variety of *D. nudicaule*, it is currently recognized as